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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/145,680	09/02/1998	THIRU SRINIVASAN	1480(42059-0	6253

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EXAMINER

DUONG, DUC T

ART UNIT	PAPER NUMBER
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2616

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/145,680

Applicant(s)

SRINIVASAN, THIRU

Examiner

Duc T. Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 20-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 and 30 is/are allowed.
- 6) ☒ Claim(s) 1-11, 20-29 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 1998 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- ☐ Interview Summary (PTO-413) Paper No(s). _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-5, 7-11, 20-25, 26-29, and 31 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Regarding to claims 1, 20, and 31, there does not appear to be a written description of the claimed limitation **“the audio connection is established through Surf&Call technology that provides desired communication between the system user's computer and a merchant's computer, a merchant's phone or both”**.

Though the examiner agree with the applicant that the specification, on page 2 lines 7-9, discloses of the Surf&Call technology can establishes communication from computer to computer or computer to phone. However, the examiner disagrees with applicant that the Surf&Call technology is implemented in the applicant system to provide a desired audio communication as claimed. The mentioning of the Surf&Call technology in the specification as cited by the applicant is merely referencing the background of availability of technology exists. Nothing in the cited passage provides support for the applicant's communication system comprising the audio is established through Surf&call

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technology as claimed. It appears that applicant incorrectly amended the claims by adding new matter into the claims for the purpose of avoiding prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-10, 20-22, 24-29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dekelbaum et al (US Patent 5,838,682) in view of Creamer et al (US Patent 6,278,704 B1).

Regarding to claim 1, Dekelbaum discloses a communication system (Fig. 1A-B), comprising computer based data network 130/140 (Fig. 1A-B; the ISDN network 140 and the Internet 130 collectively form a computer-based data network) containing information which is accessible by system users 8a-c in connection with the data network 130/140 (Fig. 1A col. 8 lines 61-67); a server 102 in connection with the data network 130/140 (Fig. 1B), comprising a website (Fig. 6 col. 12 lines 1-8) accessible by the system users 8a-c over the data network 130/140, where the web page includes an audio communications interface 230 (hyperlinks) for selectively establishing an audio connection (Fig. 6 col. 12 lines 8-11) via the computer-based data network 130/140 between the system user 8a-c and an available service agent 110a-c (Fig. 3 col. 11 lines 5-10), by the system user 8a-c placing a telephone call via the computer based data network 130/140 to the available service agent 110a-c (Fig. 7 col. 12 lines 12-22)

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and a processor (implicitly shown) which processes the audio communication between the system user 8a-c and the service agent 110a-c (Fig. 1B col. 12 lines 23-37), and receives and stores in memory (implicitly shown) a version of at least one web page from the website which the system user 8a-c has viewed (col. 14 lines 19-28), wherein the at least one web page includes a web page which the system user is currently viewing as well as any web pages which the system user 8a-c has previously viewed in a particular domain (col. 14 lines 28-34); a telephone system 106 which receives the audio communication from the processor and assigns it to the service agent 110a-c (Fig. 1A col. 11 lines 56-67); and a service agent interface 112, which upon assignment of the audio communications to the service agent 110a-c, receives a broadcasted, interactive version of the at least one web page from the processor (Fig. 1B col. 11 lines 34-41).

Dekelbaum fails to teach a session to includes all web pages which the system user has previously viewed in particular domain. The examiner take official notice that to arrange such session to include all web pages the user has previously viewed in a particular domain is well known in the art and it would have been obvious to a person of ordinary skill in the art. Such arrangement, as in a browser, would enable the customers and agents to quickly access and retrieve relevant information contain in the web pages the user has viewed.

Regarding to claim 20, Dekelbaum discloses an apparatus for providing communication between a system user 8a-c with access to a computer-based data network 130/140 (the ISDN network 140 and the Internet 130 form a data network) and

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an available service agent 110a-c (Fig. 1A-B), comprising a server 102 in connection with the data network 130/140 (Fig. 1B), comprising a website (Fig. 6 col. 12 lines 1-8) accessible by the system users 8a-c over the data network 130/140, where the web page includes an audio communications interface 230 (hyperlinks) for selectively establishing an audio connection (Fig. 6 col. 12 lines 8-11) via the computer-based data network 130/140 between the system user 8a-c and an available service agent 110a-c (Fig. 3 col. 11 lines 5-10); by the system user 8a-c placing a telephone call via the computer based data network 130/140 to the available service agent 110a-c (Fig. 7 col. 12 lines 12-22) and a processor (implicitly shown) that provides an audio communication to a remotely located telephone system 106 (Fig. 1B col. 12 lines 23-37) and stores in memory (implicitly shown) a version of at least one web page from the website which the system user 8a-c has viewed (col. 14 lines 19-28) and any web pages previously viewed in a particular domain (col. 14 lines 28-34); and upon establishment of the audio communications to the service agent 110a-c, reconstructs and broadcasts the web page to a service agent interface 112 (Fig. 1B col. 11 lines 34-41).

Dekelbaum fails to teach a session to includes all web pages which the system user has previously viewed in particular domain. The examiner take official notice that to arrange such session to include all web pages the user has previously viewed in a particular domain is well known in the art and it would have been obvious to a person of ordinary skill in the art. Such arrangement, as in a browser, would enable the

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customers and agents to quickly access and retrieve relevant information contain in the web pages the user has viewed.

Dekelbaum fails to teach for converted version of the web page. However, Creamer discloses a telephony and internet access system comprising a web browser for converting web page to HTML language (col. 6 lines 46-51). Thus, it would have been obvious to a person of ordinary skill in the art to employ such browser as taught by Creamer in Dekelbaum's system for viewing or printing in lieu of having to use standard telephony equipment.

Regarding to claims 2 and 21, Dekelbaum discloses the data network 130/140 is the worldwide web (col. 12 lines 1-8; HTML implied world wide web).

Regarding to claims 3 and 22, Delkelbaum discloses links 230 (Fig. 6 col. 12 lines 8-11) included in the version of the web pages, which the system user 8a-c is viewing and has viewed are active and provide access to the data network 130/140 (col. 14 lines 28-34).

Regarding to claims 5 and 24, Dekelbaum discloses the telephone system 106 is a PBX system, which assigns telephone connections based on the service agent 110a-c availability (Fig. 1B col. 11 lines 10-15).

Regarding to claims 6 and 25, Delkabaum discloses the telephone connection is established through Surf&Call technology (Fig. 7 col. 12 lines 38-46).

Regarding to claims 7 and 26, Dekelbaum discloses the interactive version of the at least one web page is delivered to the service agent using PUSH technology (col. 15 lines 7-13).

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Regarding to claim 8, Dekelbaum discloses the service agent user interfaces 112 and the automated telephone system 106 are incorporated into a local area network LAN 124 (Fig. 1B col. 11 lines 31-39).

Regarding to claims 9 and 27, Dekelbaum discloses all the limitations with respect to claims 1 and 20, except for a system user web browser plug-in which converts the at least one web page to HTML language. However, Creamer discloses a telephony and internet access system comprising a web browser for converting web page to HTML language (col. 6 lines 46-51). Thus, it would have been obvious to a person of ordinary skill in the art to employ such browser as taught by Creamer in Dekelbaum's system for viewing or printing in lieu of having to use standard telephony equipment.

Regarding to claims 10 and 28, Dekelbaum discloses the service agent interfaces 112 include a service agent web browser plug-in 120 for receiving the broadcasted, interactive version of the at least one web page (Fig. 1B col. 14 lines 28-34).

Regarding to claim 29, Dekelbaum discloses the system user web browser includes an ID for the system users in the converted web pages in a message to the processor (col. 14 lines 19-25) and at least one of hypertext links, I.P. address, cookies, log-in I.D., password, Java applets, and any hidden HTML tags along with the listed information for each of the web pages visited by the system user under the domain (col. 7 lines 32-47).

Regarding to claim 31, Delkelbaum discloses a communication system (Fig. 1A-B), comprising computer based data network 130/140 (the ISDN network 140 and the Internet 130 form a data network) containing information which is accessible by system users 8a-c in connection with the data network (Fig. 1A col. 8 lines 61-67); a call center 100 having a plurality of service agents 110a-c, each having a computer-based device 110a-c (the enclosed devices 110a-c of the dotted line are computer-based devices) for communicating via the Internet 130 via a server 102 connected to the Internet 130 (Fig. 1B col. 11 lines 31-41), wherein the server 102 has a plurality of web pages that can be accessed by the system user (Fig. 6 col. 12 lines 1-8); wherein at least one of the web pages includes an icon 230 (hyperlinks) located that can be selected by the system user 8a-c (col. 12 lines 8-11) to placed a telephone call via the computer based data network 130/140 from the computer-based devices 8a-c of the system user to the computer-based device 110a-c of an available service agent (col. 12 lines 11-21).

Dekelbaum fails to teach a session to includes all web pages which the system user has previously viewed in particular domain. The examiner take official notice that to arrange such session to include all web pages the user has previously viewed in a particular domain is well known in the art and it would have been obvious to a person of ordinary skill in the art. Such arrangement, as in a browser, would enable the customers and agents to quickly access and retrieve relevant information contain in the web pages the user has viewed.

5. Claims 4 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dekelbaum.

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Regarding to claims 4 and 23, Dekelbaum discloses the reconstructed web pages include hypertext links, login ID, any hidden HTML tags, and Java applets (col. 14 lines 19-34). But, Dekelbaum fails to teach the reconstructed web pages include IP address, password, and cookies. However, to arrange such web pages to include IP address, password, and cookies would have been obvious to a person of ordinary skill in the art. The Examiner takes office notice that these parameters of a web page are well known in the art.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable Dekelbaum in view of Sassin et al (U.S. Patent 6,449,260 B1).

Regarding to claim 11, Dekelbaum discloses all the limitation with respect to claim 1 includes converting a web page into hypertext links, IP address, cookies, login ID, password, any hidden HTML tags, and Java applets (col. 14 lines 19-34). But Dekelbaum fails to teach for the system user web browser 14a-c (Fig. 1A) includes the converted at least one web page into an E-mail message, which includes a Caller ID for the system user, along with the text and information visited by the system user under the domain. However, Sassin discloses an automatic call distribution system includes sending the converted of web page in an e-mail message to the web server 66 (processor), which includes an identification number (caller ID) along with other information required for accessing the message (col. 8 lines 31-49). Thus, it would have been obvious to a person of ordinary skill in the art to include the browser for converting of web page in an e-mail message as taught by Sassin in Dekelbaum's

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system to allows the agents to provide technical assistance regarding with products/services inquiry to customer that has no voice connection communication.

Allowable Subject Matter

7. Claims 12 and 30 are allowed.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the

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organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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